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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,345	12/15/2000	Jacques Nault	14545-1 "USPR	8752
24222	7590	06/19/2006	EXAMINER	
MAINE & ASMUS 100 MAIN STREET P O BOX 3445 NASHUA, NH 03061-3445			KRAMER, JAMES A	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/736,345

Applicant(s)

NAULT, JACQUES

Examiner

James A. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/1/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 1/21/05 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 for failure to include an appropriate date. MPEP 609 states that the date of publication supplied must include at least a month and a year of publication except that the year of publication (without the month) will be accepted if the applicant points out in the information disclosure statement that the year of the publication is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the particular month of publication is not an issue. As the references noted above fail to have an appropriate date, a statement is required by applicant indicating that the references are admitted prior art in order to be considered.

It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claim 12-55 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Examiner will point to claim 12 as an example of the issue which renders the claims indefinite. Claim 12 recites in the first limitation "receiving an electronic file of accounting data having a plurality of accounts, wherein each account has a corresponding amount and an accounting direction for said amount."

Claim 12 then recites in the 2nd limitation, "computing an account balance resulting from one or more transactions, and each transaction is associated with more than one account and combines at least one debit and one credit."

Examiner notes that it is unclear why one would compute account balances as the accounting file received in the 1st limitation already includes an account with a corresponding amount (i.e. account balance). In addition, it is unclear how this claim computes account balances as the claimed received account balance does not include information at the transaction level.

Examiner notes that this issue was raised with Applicant during a phone interview on June 2, 2006. Applicant noted that the invention is capable of receiving both a trail balance data (the claimed received accounting data) as well as General Journal data (transaction data). However as presently claimed this is not clearly recited. Applicant has agreed to address this matter in the next response.

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With respect to the analysis above, Examiner further notes that when the invention receives a file with only accounts and account balances (i.e. Trial Balance) and not one with transactions (i.e. General Journal) the invention is unable to provide the claimed “second level of detail including said account balance and transaction associated with the account balance” (see for example claim 15) nor “third level of detail including at least one debited account and a corresponding credited account associated with the selected transaction” (see for example claim 17). In other words, when the claimed system receives a file with only accounts and their balances it does not have the level of detail required to provide the drill down functionality. Examiner notes this indefiniteness filters down throughout the claims, especially the claims that recite the doubly linked data structures and the pointers.

Examiner also references the third limitation of claim 3 which recites “manually grouping accounts from a user display into one of more financial statement items, wherein each account is associated with only one financial statement item . . .” Examiner notes that it is unclear how an account could be grouped into more than one financial statement item when it is associated with only one financial statement item. Referring once again to the interview conducted on June 2, 2006, Applicant pointed out to the Examiner that once a user manually groups an account to a financial statement item, it is removed from the list. Examiner references the screen shots from interview summary of the interview conducted January 26, 2006. Specifically page 5 of the screen shots, Examiner’s annotation states “Once item is selected; removed from list and added to box beside ‘Cash’”. From this it is unclear how an account can be manually grouped to more than one financial statement item.

Interview Summary

Examiner touched upon a phone interview between Applicant, Applicant's representative and Examiner on June 2, 2006. During this interview the rejection to the claims under 35 USC 112 2nd paragraph was discussed (as described above).

In addition, Examiner brought to Applicant's attention that a feature described during a previous interview (held on January 26, 2006) was not in the claims. The January interview included a walk through of Applicant's invention, included with that interview summary are screen shots of Applicant's invention. A feature was discussed during this interview, with specific reference to the first page of screen shots, Applicant's discussed invention is capable of receiving a data file in any format and in any sequence. As a result a user is require to establish field boundaries within the system, so the system is able to calculate account balances from this unformatted file. Examiner notes that such a feature is not part of the presently claimed invention.

Applicant has agreed to correct the 112 indefinite errors and Examiner has agreed to review them prior to Applicant's next submission.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

3,610,902 to Rahenkamp and Stewart teaches manually grouping accounts from a user display into categories for summation (see for example column 23, line 55 through column 24 line 20).

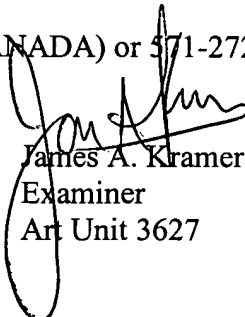
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4,642,767 to Lerner teaches "receiving an electronic file of accounting data having a plurality of accounts, wherein each account has a corresponding amount and an accounting direction for said amount." See for example column 3, lines 1-60.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (571) 272 6783. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272 6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



James A. Kramer
Examiner
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jak
6/9/06